

The 4th June, 1987

* No. 9/2/87-6Lab. 3346.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s North Land Mill, Rai (Sonepat).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT,
ROHTAK.

Reference No. 188 of 85

between

SHRI JAI RAM, WORKMAN AND THE MANAGEMENT OF M/S. NORTH LAND
MILL, RAI (SONEPAT).

Present :

None for the petitioner.

Shri S. Kaushal, A. R. for the management.

AWARD

1. In exercise of the powers conferred by clause (C) of sub section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Jai Ram and the management of M/S. North Land Mill, Rai (Sonepat), to this Court, for adjudication, —vide Haryana Government, Gazette Notification No. 45353—58 dated 8th November, 1985 :—

Whether the termination of services of Shri Jai Ram is justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the petitioner is that he was employed with the respondent as a Mixingman since 2nd April, 1974 on monthly wages of Rs. 405 and that on 1st June, 1985 the respondent barred his entry to the factory premises and in this way terminated his services unlawfully without complying with the mandatory provisions of section 25 F of the Industrial Disputes Act, 1947.

3. In the reply filed by the respondent, it is alleged that the petitioner joined the respondent on 12th June, 1979 on monthly salary of Rs. 405. It is further alleged that on 1st June, 1985 alleged date on which the Respondent is alleged to have barred the entry of the petitioner to the factory premises, the petitioner was away to his village and sent letter dated 17th June, 1985 from his village expressing his inability to work in the respondent factory and on 23rd July, 1985 submitted his resignation and so, it is alleged that since services of the petitioner were never terminated, there is no question of his being reinstated.

4. On the pleadings of the parties, the following issue was framed by me on 7th February, 1986 :—

1. As per terms of reference.

5. The petitioner appeared as WW-1 and the respondent examined MW-1 Shri Parminder Singh, Time keeper. As the case was adjourned for remaining evidence of the respondent, the management alleged that the petitioner has settled his claim with the respondent and the written statement dated 4th April, 1987 was sent to the Court, veracity of which has not been denied by the Authorised Representative of the petitioner. Thereunder, the petitioner has been paid a sum of Rs. 3,000 in full and final satisfaction of his claim. So, now, nothing survives for adjudication. The reference is answered and returned accordingly with no order as to cost.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

Dated the 5th May, 1987.

Endorsement No. 188-85/1002 dated the 15th May, 1987.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947

B. P. JINDAL,
Presiding Officer
Labour Court, Rohtak.